

**Fw: Gov't comments on Wallace Yard RAD drawings**

**Clifford Villa** to: Gail.Wurtzler, Robert.Lawrence, craig.trueblood,  
Sara.Handy

10/27/2009 09:34 AM

Cc: Ed Moreen, Nicholas.Zilka, Darrell.Early, SHimmelh, Cyndy Mackey

I'm following up on my email below. In transmitting our Govt comments on the revised RADs, I suggested that the technical folks meet to discuss these comments and move the settlement process forward. I was hoping that meeting would happen last week, but it didn't. This leaves me compelled to see about setting up that technical meeting for this week. I hate to involve myself or other legal counsel unnecessarily, but time is truly of the essence if we are to avoid moving into full civil litigation next month.

I suggest that Sara Handy contact Ed and Nick today to schedule this meeting, unless of course Sara has revised RADs incorporating our comments that can simply be transmitted to us. Either way, please advise.

Thanks.

Cliff Villa  
Assistant Regional Counsel  
U.S. EPA Region 10

----- Forwarded by Clifford Villa/R10/USEPA/US on 10/27/2009 09:22 AM -----

**Clifford Villa/R10/USEPA/US**

10/16/2009 05:52 PM

To Bob **Lawrence**, Gail Wurtzler, Craig Trueblood, Sara Handy  
cc SHimmelh@enrd.usdoj.gov, Ed Moreen, Cyndy Mackey,  
Nicholas.Zilka@deq.idaho.gov, Darrell.Early@deq.idaho.gov,  
Angela Chung/R10/USEPA/US@EPA  
Subject Gov't comments on Wallace Yard RAD drawings

Counsel:

Attached, the Governments' consolidated comments on the latest (Sept '09) set of RAD drawings for the Wallace Yard and Spur Lines. Overall, we noted much improvement over the previous drafts. Our comments are formatted as comments previously submitted. I deleted old comments that we now believe have been fully resolved, and where a previous comment has been retained, you should find a bulleted note immediately below it explaining our continuing concern. You will also find a list of new comments, generally consistent with concerns previously expressed.

As you have evidently spent some time developing the necessary detail for these drawings, we have spent time developing specific comments that we believe you will find constructive and leading this process to conclusion.

As a next step, I suggest that Sara schedule a call with Ed and Nick to go through these comments, perhaps before the end of next week. I don't believe that counsel need to participate in this call, but if there are other views on that matter, please let me know.

Thanks.

Cliff Villa  
Assistant Regional Counsel  
U.S. EPA Region 10

[attachment "Govt comments on Sept 09 RADs.doc" deleted by Clifford Villa/R10/USEPA/US]